



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 38th Floor
New York, New York 10278


May 2, 2025

By ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

The MDC is directed to arrange a compassionate telephone call through the MDC Chaplain's Office for the defendant to speak with members of his family before and after the funeral service. The defense shall respond to the request that the MDC review a recording of the funeral service in advance of it being played for the defendant in the Chaplain's Office. The order that the MDC permit the defendant to view the funeral service live is suspended pending further order of the Court.

May 2, 2025

SO ORDERED.

LEWIS J. LIMAN
United States District Judge

Re: *United States v. Gustavo Alvarez-Antigua*, 25 CR 81 (LJL)

Dear Judge Liman:

The Government writes in response to the motion of the defendant (ECF No. 11) and pursuant to the Order of the Court dated May 2, 2025 (ECF No. 12) (the "05/02/25 Order") to confirm that the Government has provided the 05/02/25 Order to the Metropolitan Detention Center ("MDC"). In response to the 05/02/25 Order, the legal staff of the MDC has reported to the Government that the MDC is not able to comply with the 05/02/25 Order because the defendant's participation in a funeral via a "live" telephone or video conference would not permit for prior review of the content of the funeral service to ensure its appropriateness for an inmate at a federal detention center. According to the legal staff of the MDC, in the past, recordings of such funeral services have contained inappropriate messages that would have introduced security risks had they reached inmates but were fortunately intercepted through prior review. For that reason, the legal staff of the MDC respectfully requests that the Court permit the MDC to review any recording of the funeral service that is made and provided to the MDC on behalf of the defendant, which recording can then be played for the defendant in the MDC Chaplain's Office. In the alternative or in addition to this approach, the legal staff of the MDC respectfully request that the Court permit the MDC to arrange a compassionate telephone call through the MDC Chaplain's Office for the defendant to speak with members of his family either today, prior to the funeral service, or at the start of next week, after the funeral service, or both.

Respectfully submitted,

JAY CLAYTON
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Southern District of New York

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cc: Rachel Kull, Esq. (Staff Attorney, Bureau of Prisons, MDC Brooklyn) (by email)